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REBEL ARCHIVES

HOUSE OF REPRESENTATIVES, JAN. 17, 1865.—Referred to Select Committee of three, and ordered to be printed.

[By the CHAIR.]

MESSAGE OF THE PRESIDENT.

RICHMOND, VA., JAN. 14, 1865.

To the House of Representatives:

In response to your resolution of the 24th ultimo, I herewith transmit for your information a communication from the Secretary of War, relative to the passports which have been issued to certain youths to leave the Confederate States.

JEFFERSON DAVIS.

COMMUNICATION OF THE SECRETARY OF WAR.

WAR DEPARTMENT, C. S. A.

Richmond, Jan. 11, 1865.

To the President of the Confederate States:

SIR:

I have received the following resolution of the House of Representatives, referred by your Excellency to this Department:

“Resolved, That the President be respectfully requested, if not incompatible with the public interest, to inform this House whether or not the Secretary of War, or any other officer of the Executive Government, has ever granted permits or safe conducts to one or more youths of the Confederate States, who were about to attain the age that would render them liable to conscription or military service, to go beyond the limits of this Confederacy; and if any youth or youths of the age designated have been, or are about to be suffered to depart the Confederacy, to inform this House of the reasons for their being permitted to go abroad.”

Some delay in replying has been caused by the desire to make as thorough a research as possible for any cases to which the resolution may be applicable. The only officers, besides myself, who, in the practice of the Department, exercise the power of granting passports to leave the Confederacy, are the Provost Marshal of this city and the Assistant Secretary of War. Reports from both accompany this, and give full information of the only cases acted on by them, to which

the resolution can be supposed to have application. These cases were acted on in the regular course of official business, without reference to me, and without knowledge on my part until the enquiries caused by the resolution of the House.

The only cases which are recollected, or after search, can be found to have been acted on by me, are two :

1. That of John C. Poulson, allowed in March 1864. He was the son of a citizen of Accomack county, resident within the lines of the enemy, represented at that time to be sixteen years of age, and satisfactorily shown, by medical testimony, to be a victim of epilepsy, of weak intellect and physical disability. It was sought to restore him to his father's care, and a passport was given him to pass by the boat bearing flag of truce. As this required the assent of the federal authorities likewise, it seems to have been ineffectual, as the same youth appears subsequently to have applied to the Provost Marshal for a more general pass, and is among those named by him as having received passports. He had then attained the age of seventeen years; but as appears from the Provost Marshal's report, was from disease unfit for military service.

2. The case of Henry Grant, a youth of sixteen years of age, on the 24th September 1864, the son of a most estimable and loyal citizen of this city. He was stated to be backward in his studies, and so diverted by the incidents and distractions of the times as to make his application almost hopeless. His uncle, formerly an officer of our army, now residing in England, in the prosecution of business important to the Department, had offered to receive him, and see to his proper training and education. His passport was allowed December 6th, 1864, on the understanding, however, that should the war continue, he should be liable to recall on attaining military age. I am not positively informed whether this passport has been used, but presume it has been.

It will be thus seen, that no passports have been granted in cases where it can be properly said "youths were about to attain the age that would render them liable to conscription," to go beyond the limits of the Confederacy. Where there was even an approach to that age, care was observed to obviate evasion of future liability to service. At the same time, it is deemed not inappropriate to add, that no law or obligation exists by which the Department is required to refuse passports to go to neutral countries to any loyal citizen of the Confederate States, not liable to military service. Passports are required from consideration of military police alone, to preclude the passage of dangerous or disaffected persons; and it might, perhaps with justice, be deemed an offensive and gratuitous presumption to attribute to any loyal citizen the design of evading a patriotic duty, as also an unwarrantable assumption of authority by the Department, to preclude expatriation or intercourse with neutral countries, by the refusal of passports to those not liable to military service. So high a prerogative, it may be justly claimed, can only be imparted, and should only be exercised, under the regulation of law. If, therefore, it be deemed important that passports be refused (except from mili-

tary police) to any class of our citizens, it is due alike to the Department and the citizen, that it should be prescribed by appropriate legislation.

Very respectfully,

Your obedient servant,

JAMES A. SEDDON,
Secretary of War.

REPORT FROM ASSISTANT SECRETARY OF WAR.

CONFEDERATE STATES OF AMERICA,
WAR DEPARTMENT,
Richmond, Va., January 7, 1865.

HON. JAMES A. SEDDON, *Secretary of War:*

SIR:

I have examined the resolution of enquiry of the House of Representatives, relative to the allowance of passports to persons liable to military duty under the Act of Congress of the 17th February last, or who were about to attain the age of conscription under that act, to enable them to complete their education.

The passport usually issued from this Department contains a permission to the bearer to leave the Confederate States, subject to the military regulations of the commander through whose lines he is to pass. If the applicant be of the class described in the Act of Congress, enquiry is made whether he be exempt; and if not, the passport is denied. I do not know of any person not exempt from military service, of the class mentioned, who has had a passport.

The Department is not advised of any Act of Congress that prohibits their citizens from leaving the Confederate States, and has granted passports to persons not belonging to the military class, when properly assured that they are loyal, and that there is no reason to apprehend any detriment to the Confederate States by their departure from its limits.

I have signed passports in a few instances for persons not belonging to the military class, residing in different parts of the Confederacy, to go abroad to complete their education. The persons have been generally youths from ten to fifteen years of age. A few weeks ago there was an application on behalf of a youth represented to be sixteen years of age. In this case there was a medical certificate from two physicians of eminence who examined him, and who represented that he was of "feeble constitution," of a "scrofulous tendency," "under size," "deficient in muscular activity," and who would be "inefficient as a soldier."

This is the closest approximation that I have been able to discover to the case made in the enquiry of the House of Representatives, in my action.

I have no acquaintance with any of the persons to whom the passports were issued, and have had no intercourse with their parents or guardians, and cannot say whether they have been used or otherwise.

Very respectfully,
Your obedient servant,

J. A. CAMPBELL,
Ass't Sec. of War.

REPORT FROM PROVOST MARSHAL.

The following is a list of passports to pass from the Confederate States, issued from the office of the Provost Marshal at Richmond, to males who were beneath, but near the age of conscription, and citizens of the Confederate States.

1. July 26, 1864; Frank Whitehead; 15 years of age; a native of Georgia; an orphan; delicate in health; his father was a native of New York, and all his relatives reside there; destitute.

2. John C. Poulson; 17 years of age; August 9, 1864; granted on application of Hon. Robert Ould, and on a passport issued by the Secretary of War in May 1864. The record does not state whether citizen or not. The records in the office of the Secretary of War will show. He was represented to be diseased and unfit for military service.

3. Benjamin G. Osborne; 15 years of age; granted 8th September 1864; he is stated by surgeons to be of delicate constitution; sent to New York to his grandparents, who reside there, and who will educate and provide for him.

4. Franklin Stearns, jr.; 16 years old; granted September 17, 1864; has a brother at school in Paris; allowed to go to France to join his brother and be educated.

5. John H. Capitaine; 15 years old; 30th September 1864; allowed to go to his relations in Switzerland to be educated.

6. William A. Shafer; 15 years old; 3d November 1864; allowed to go to Europe to be educated.

IS. H. CARRINGTON,
Provost Marshal.

Richmond, January 7, 1865.

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